

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                           ) Criminal Action No.  
                                )  
ROY L. McMAHAN, JR.,     )  
                                )  
Defendant.                 )

O R D E R

The court received a psychological evaluation on Defendant McMahan dated May 18, 2006.

Defendant was examined by Robert Johnson, Ph.D., who found Defendant to be competent to stand trial. During a hearing held before United States Magistrate Judge Robert Larsen on June 1, 2006, Defendant and the government stipulated to the report of Dr. Johnson. Therefore, after making an independent review of the record, it is

ORDERED that Defendant's motion for judicial determination of mental competency is granted, the Report and Recommendation of Magistrate Judge Robert Larsen is adopted in its entirety, and this court finds that Defendant is competent to stand trial. It is further

ORDERED that this case is set for trial on the joint criminal jury trial docket commencing August 28, 2006. It is further

ORDERED that, pursuant to 18 U.S.C. § 3161(h)(1)(A), the time between March 21, 2006, and the date of this order is excluded in computing the time within which the trial of this criminal action must commence.

*/s/ Ortrie D. Smith*  
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ORTRIE D. SMITH  
United States District Judge

Kansas City, Missouri  
June 7, 2006